

SENATE BILL 3064
By Kyle

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 6; Title 7; Title 13 and Title 67, relative to
local government funding.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, is amended by adding the following language as a new chapter:

Section 13-30-101. Any incorporated municipality, county or metropolitan government may perform or order the construction, reconstruction, building, replacing, extending, enlarging or repairing of any capital or public improvement and provide for the payment of the cost of any such public improvements by levying and collecting an impact fee on new land development.

Section 13-30-102.

(a) The governing body of an incorporated municipality, county or metropolitan government seeking to impose an impact fee shall adopt an ordinance or resolution imposing such impact fee.

(b) The governing body of an incorporated municipality, county or metropolitan government seeking to adjust or repeal an existing impact fee shall adopt an ordinance or resolution adjusting or repealing such impact fee.

(c) Any ordinance or resolution pursuant to this section shall be approved by no less than a two-thirds (2/3) vote of the governing body imposing, adjusting or repealing such fee.

Section 13-30-103. The provisions of this chapter shall in no manner repeal, modify, or interfere with the authority granted by any other public or private law. This

chapter shall be deemed to create an additional and alternative method for incorporated municipalities, counties and metropolitan governments to impose and collect fees for the purpose of providing public facilities within such incorporated municipalities, counties and metropolitan governments. Any incorporated municipality, county or metropolitan government that has been granted authority by public or private law to impose an impact fee may adjust or repeal such fee in accordance with the provisions of §13-30-102 without further authorization of the general assembly.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.